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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF OREGON**

**UNITED STATES OF AMERICA**

**3:17-cr-00400-HZ**

**v.**

**GOVERNMENT'S  
EXPERT WITNESS LIST**

**JASON PAUL SCHAEFER,**

**Defendant.**

The government anticipates it will call the following witnesses as experts in its case-in-chief at trial:

- 1. ROBERT BARBIERI, Explosives and Hazardous Device Examiner  
Federal Bureau of Investigation**

The government intends to call Special Agent Robert Barbieri, an FBI Explosives and Hazardous Device Examiner. Agent Barbieri's qualifications are set forth in his curriculum vitae. He worked as an Explosives and Hazardous Device Examiner at the FBI laboratory in Quantico, Virginia. In that role, he has authored FBI laboratory reports on explosive and hazardous devices,

been trained in the property handling of commercial, military and improvised explosives, and constructed a variety of improvised explosive devices for training and courtroom displays. Agent Barbieri has conducted forensic examinations of exploded and unexploded devices. Prior to his work at the FBI laboratory, Agent Barbieri served as a Special Agent Bomb Technician at the FBI's San Juan Field Office. Agent Barbieri has been an FBI Special Agent since 2004.

Agent Barbieri analyzed evidence in this case and his conclusions are set forth in his reports, FBI Lab No. 2017-03110 [JPS0002131]. He conducted an examination of approximately 21 items recovered during the investigation of defendant and reached the following conclusion:

It is the opinion of this Explosive and Hazardous Devices Examiner that present in the submitted specimens are the components of an Improvised Explosive Device (IED). Properly assembled and initiated, these types of devices are capable of causing property damage, injury, or death.

In addition, Agent Barbieri is expected to testify to how each component would be used in an IED. He will also testify that electric matches are made up of two wires connected at one end by a bridge wire, and that the bridge wire is encased in a pyrotechnic material.

In addition to these conclusions, Agent Barbieri is expected to testify that Triacetone Triperoxide (TATP) is a high explosive, why it is not used commercially, and how it is created. Agent Barbieri will also testify that he has tested TATP and is aware that, as a peroxide-based explosive, it is sensitive to heat, shock, and friction, and subject to degradation. Agent Barbieri is aware of instances in which TATP has caused injury or death both to those trying to manufacture or transport it and when used as a weapon. Agent Barbieri is expected to use a video showing the detonation of a quantity of TATP.

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**2. BRENNAN PHILLIPS, Senior Explosives Enforcement Officer  
Bureau of Alcohol, Tobacco, Firearms and Explosives**

The government intends to call ATF Senior Explosive Enforcement Officer, Brennan Phillips, to testify at trial about the nature of the improvised explosive device used and carried by defendant during the course of the charged offenses.

In short, Officer Phillips has been an explosive enforcement officer since 2000 and in that role he has supported criminal investigations into violations of firearms, explosives and arson laws with on scene operation support including bomb disposal actions and crime scene investigations. He has made determinations on explosives and destructive/incendiary devices and provided expert witness testimony related to explosives, military ordnance and improvised explosive devices. As part of his duties with ATF, Officer Phillips served as an investigator for the Combined Explosives Exploitation Cell in Baghdad, Iraq, conducting post-blast investigations and examination of IEDs. Phillips also served approximately six years in the military as an explosives operations disposal officer.

The government expects the testimony of Officer Phillips to cover his summary of the device design and construction:

The materials evaluated in this investigation are consistent with the remains of an improvised explosive weapon commonly known as an explosive bomb. Based on witness accounts and post blast analysis, construction of the device consisted of a quantity of explosive, identified by laboratory analysis as tracetone triperoxide (TATP), confined within a cigarette package. The open flame from a cigarette lighter was used as a means of initiation.

Phillips reached the following conclusion on the device functioning and effects:

After the suspect issued a verbal threat that he intended to explode the device and cause harm he applied the open flame produced by the lighter to the cigarette package containing the TATP explosives, which resulted in an explosion. The explosion did produce blast and thermal effects that did cause property damage and injury to persons nearby.

Accordingly Officer Phillips rendered the following opinion:

Based upon the above, it is the opinion of the undersigned that the material involved in this investigation were converted into an improvised explosive weapon known as an explosive bomb. As such, explosive bombs constitute destructive devices as that term is defined in 26 U.S.C., § 5845(f) as well as explosives as that term is defined in 18 U.S.C. §844(j).

### **3. WADE MUTCHLER, Special Agent Bomb Technician Federal Bureau of Investigation**

The government intends to call FBI Special Agent Bomb Technician (SABT), Wade Mutchler, to testify at trial about how the FBI's investigation of Defendant Schaefer began. SABT Mutchler has been employed by the FBI since 2002, and he served on the Hazardous Materials Response Team from 2004-2012. In 2009, he completed the FBI Hazardous Device School in Huntsville, Alabama, to become certified as a Bomb Technician. SABT Mutchler completes regular training in the areas of improvised explosive devices (IEDs) and post-blast investigations. He is a member of the FBI Adjunct Faculty and provides explosives-related training to law enforcement in the State of Oregon and internationally. Agent Mutchler received his Bachelor of Arts degree from Michigan State University and a Juris Doctorate law degree from the Thomas Cooley School of Law.

SABT Mutchler's testimony is expected to discuss his role and responsibilities as lead case agent; and how he applied his specialized knowledge in the area of explosives, and the homemade manufacturing of explosives, to review the list of chemicals and materials purchased by defendant from an online retailer. Agent Mutchler will also be testifying about several federal search warrants that were sought and obtained by the FBI for the residence, storage units, vehicle, and digital devices of Defendant Schaefer.

**4. CRAIG MUELLER, Special Agent Bomb Technician  
Federal Bureau of Investigation**

The government intends to call FBI Special Agent Bomb Technician (SABT), Craig Mueller, to testify at trial about the execution of the search warrant at Defendant Schaefer's residence, his storage units, and about the seizure of the property and identification of chemicals found at the different locations. SABT Mueller has been employed by the FBI since 2002, and works primarily on domestic terrorism, weapons of mass destruction, and civil rights cases. In 2013, Mueller was certified as a Bomb Technician at the Hazardous Devices School in Huntsville, Alabama. Since 2016, SABT Mueller has been the Weapons of Mass Destruction Coordinator for the Portland Division of the FBI. He is a certified Post Blast Investigation Instructor, and also teaches courses on the manufacture of homemade explosives. Prior to the FBI, SABT Mueller spent approximately five years as a Forensic Chemist (Criminalist) with the Arizona Department of Public Safety. SABT Mueller received his Bachelor of Science and Master of Science degrees in Microbiology from North Dakota State University.

SABT Mueller is expected to apply his specialized training to discuss his planning and preparation for the execution of the federal search warrant at defendant's apartment where numerous hazardous chemical were located. Mueller will explain how his explosives experience guided the tactical and safety decisions that were made during the course of the search. Additionally, SABT Mueller will discuss how the search of the residence led to subsequent federal search warrants at defendant's two storage units, where additional hazardous chemical were collected and sent out for local testing, and for testing by the FBI Laboratory Division of the Explosives Unit in Quantico, Virginia.

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**5. ROBERT MILLER, Officer  
Portland Police Bureau**

The government intends to call Officer Robert Miller from the Portland Police Bureau to testify at trial about the search and securing of defendant's vehicle following the incident where defendant detonated an explosive device while sitting in his vehicle, and the subsequent investigation.

Officer Miller completed the Hazardous Device School in 2013 and has been recertified twice since then. He is scheduled to attend 40 hours of training each month and attends a minimum of 16 hours of training each month related to his work as a bomb technician. Officer Miller has attended a course on robot operation, and operates a robot for the Portland Police Bureau to analyze and render safe explosives.

Officer Miller is expected to testify about how he responded on October 11, 2017, to the scene of the explosion. He removed the cigarette pack from the backpack and secured it. He found a bottle labeled hexamine, but noticed that it did not appear to be consistent with hexamine, based on his training and experience. Officer Miller participated in the search of a storage unit and used his government-issued robot to test the substances recovered from the cigarette pack and the storage unit.

**6. LILY HO, Digital Forensic Examiner  
Northwest Regional Computer Forensics Laboratory**

The government intends to call Digital Forensic Examiner, Lily Ho, from the Northwest Regional Computer Forensic Laboratory (RCFL) in Portland, Oregon. Examiner Ho has been a RCFL Forensic Examiner and member of the Computer Analysis Response Team for 6 years. She received her Bachelor of Science and Master of Science degrees in Criminology & Criminal Justice from Portland State University, specializing in Crime Analysis and Geographic

Information Systems. Examiner Ho is employed by Hillsboro Police Department and is cross-designated to the RCFL through the Federal Bureau of Investigation. Ms. Ho performs digital forensic examinations on Windows computers, smart phones, and other connected tools for law enforcement agencies involved in criminal investigations. She is trained to gather digital evidence while preserving the integrity of the data and files.

Ms. Ho is expected to testify about her examination of the digital devices seized from defendant's apartment and from his vehicle pursuant to federal search warrants. Ms. Ho testimony will discuss types of devices owned by defendant and the level of encryption employed by Mr. Schaefer to protect his devices.

**7. MICHAEL O'LENA, Explosives Enforcement Specialist  
Bureau of Alcohol, Tobacco, Firearms and Explosives**

The government intends to call ATF Explosives Enforcement Specialist Michael O'Lena to discuss his findings related to the electric match igniters purchased by defendant Schaefer, and later seized at defendant's apartment pursuant to a federal search warrant. Mr. O'Lena has been employed with the ATF since 2001. He began as an Inspector/Industry Operations Investigator in Washington and has been the Program Manager in the Explosive Industry Programs Branch in Huntsville, Alabama since 2008. Mr. O'Lena received his Bachelor of Arts degree from Edinboro University of Pennsylvania in Criminal Justice. He continues to receive regular training in pyrotechnics chemistry, blasting fundamentals, and explosives safety courses. Since 2009, Mr. O'Lena has been an ATF instructor, to include pyrotechnics, fireworks, and advanced explosives courses for agents and industry operations investigators.

At trial, Mr. O'Lena is expected to testify about the request he received to evaluate the type of electric match igniters purchased by defendant from an online retailer. Based on his

knowledge and experience, Mr. O'Lena determined that the igniters purchased by defendant are regulated under federal law.

**8. JASON MILLER, Supervisory Special Agent, Chemist Forensic Examiner  
Federal Bureau of Investigation**

The government intends to call FBI Supervisory Special Agent Jason Miller to testify at trial in his capacity as an FBI Chemist and Forensic Examiner. Agent Miller has been employed by the FBI since 2001. He began at the Laboratory Division of the Explosives Unit in Quantico as a Physical Science Technician. In 2003, he became a Special Agent assigned to the Miami Division where he investigated international and domestic terrorism cases, to include cases involving explosives and weapons of mass destruction. In 2001, Agent Miller was promoted to Supervisory Special Agent and Chemist Forensic Examiner at the Laboratory Division of the Explosives Unit. As a Chemist Forensic Examiner, SSA performs analyses of explosives and explosive-related evidence in the areas of bulk explosives, explosive residues, and precursors.

At trial, Agent Miller is expected to testify regarding the chemistry examinations he performed on evidentiary samples that were collected by investigators at defendant's apartment and from his vehicle where he detonated an explosive device. The laboratory reports created by SSA Miller are found at JPS001410 and JPS001415, where he discusses the techniques and methodologies used during his testing. He is expected to testify that his findings showed several of the chemical samples provided to him were identified as, or contained residue of, the improvised high explosive triacetone triperoxide (TATP). He additionally determined that a black powder sample taken from defendant's apartment, where an electric match and remote detonator system had be rigged, was identified as a mixture of explosive powder.

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The government respectfully reserves the right to call such additional witnesses as may be necessary during its case-in-chief.

Dated: April 26, 2019

Respectfully submitted,

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